



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 07 2017

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:

Mr. Joesph King, Vice President
PSC Metals, Inc.
5875 Landerbrook Drive #200
Mayfield Heights, Ohio 44124

Dear Mr. King:

Enclosed is a file-stamped Consent Agreement and Final Order (CAFO) which resolves PSC Metals, Inc, docket no. CAA-05-2017-0010. As indicated by the filing stamp on its first page, we filed the CAFO with the Regional Hearing Clerk on February 7, 2017.

Pursuant to paragraph 29 of the CAFO, PSC Metals, Inc. must pay the civil penalty within 30 days of the filing date. Your electronic funds transfer must display the case name and case docket number.

Please direct any questions regarding this case to Jose DeLeon, Attorney, at 312-353-7456.

Sincerely,

A handwritten signature in cursive script that reads "Sara Breneman".

Sara Breneman, Chief
Air Enforcement and Compliance Assurance Section

Enclosure

cc: Ann Coyle, Regional Judicial Officer/C-14J
Regional Hearing Clerk/E-19J
DeLeon/C-14J

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

In the Matter of:

PSC Metals, Inc.

Mayfield Heights, Ohio

Respondent.



Docket No. CAA-05-2017-0010

Proceeding to Assess a Civil Penalty
Under Section 113(d) of the Clean Air Act,
42 U.S.C. § 7413(d)

Consent Agreement and Final Order

Preliminary Statement

1. This is an administrative action commenced and concluded under Section 113(d) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(d), and Sections 22.1(a)(2), 22.13(b) and 22.18(b)(2) and (3) of the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (Consolidated Rules), as codified at 40 C.F.R. Part 22.
2. Complainant is the Director of the Air and Radiation Division, U.S. Environmental Protection Agency (EPA), Region 5.
3. Respondent is PSC Metals, Inc. (PSC), a corporation doing business in Arkansas, Georgia, Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, Tennessee, and Canada.
4. Where the parties agree to settle one or more causes of action before the filing of a complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a consent agreement and final order (CAFO). 40 C.F.R. § 22.13(b).
5. The parties agree that settling this action without the filing of a complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.
6. Respondent consents to the assessment of the civil penalty specified in this CAFO and to the terms of this CAFO.

Jurisdiction and Waiver of Right to Hearing

7. Respondent admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations or alleged violations in this CAFO.

8. Respondent waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO and its right to appeal this CAFO.

Statutory and Regulatory Background

9. Section 113(a)(3)(B) of the CAA, 42 U.S.C. § 7413(a)(3)(B), authorizes the Administrator of EPA to issue an order requiring compliance with Subchapter VI of the CAA to any person who has violated or is violating any requirement of that subchapter. The Administrator of EPA has delegated her order authority to each of EPA's Regional Administrators (EPA Delegation Manual, Chapter 7, Section 7-6-A). The Regional Administrator of EPA, Region 5, has redelegated his order authority to the Director of Region 5's Air and Radiation Division (EPA Region 5 Delegation 7-6-A).

10. The Administrator of EPA may require any person who owns or operates an emission source to make reports and provide information required by the Administrator under Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1). The Administrator of EPA has delegated her information gathering authority to the Regional Administrator of EPA, Region 5, who has in turn delegated his information gathering authority to the Director of Region 5's Air and Radiation Division (EPA Delegation's Manual, Chapter 7, Section 7-8; EPA Region 5 Delegation 7-8).

11. Subchapter VI of the CAA, 42 U.S.C. § 7671, *et seq.* provides for the protection of stratospheric ozone. Section 608(b) of the CAA, 42 U.S.C. § 7671g(b) provides EPA with the authority to regulate the safe disposal of Class I and II substances. Class I and II substances

include refrigerants containing chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs). EPA promulgated regulations covering the safe disposal of CFCs and HCFCs from small appliances, motor vehicle air conditioners (MVACs), and MVAC-like appliances at 58 Fed. Reg. 28660 (May 14, 1993). These regulations for protection of the stratospheric ozone, recycling and emissions reduction are found in 40 C.F.R. Part 82, Subpart F.

12. Effective July 13, 1993; persons who take the final step in the disposal process (including but not limited to scrap recyclers) of small appliances, room air conditioners, MVACs, and MVAC-like appliances must either recover any remaining refrigerant in accordance with the procedures set forth in the regulations or verify, including by the use of signed statements or contracts, that any refrigerant that has not leaked previously has been properly recovered prior to receipt of the small appliance or MVAC. See 40 C.F.R. § 82.156(f). If verification statements are used then the scrap recycler must notify the suppliers of the small appliance or MVAC of the need to properly recover the refrigerant. See 40 C.F.R. § 82.156(f)(3). The scrap recycler must keep verification statements on-site for a minimum of three years. See 40 C.F.R. § 82.166(i) and (m).

13. EPA's regulations for the protection of stratospheric ozone, recycling and emissions reduction define "person" to include any individual or legal entity. See 40 C.F.R. § 82.152.

14. EPA's regulations for the protection of stratospheric ozone, recycling and emissions reduction define "disposal" as "the process leading to and including: (1) the discharge, deposit, dumping or placing of any discarded appliance into or on any land or water; (2) the disassembly of any appliance for discharge, deposit, dumping or placing of its discarded component parts into or on any land or water; or (3) the disassembly of any appliance for reuse of its component parts." See 40 C.F.R. § 82.152.

15. EPA's regulations for the protection of the stratospheric ozone, recycling and emissions reduction define a "small appliance" as any appliance that is fully manufactured, charged, and hermetically sealed in a factory with five pounds or less of a Class I or Class II substance used as a refrigerant, including, but not limited to, refrigerators and freezers (designed for home, commercial, or consumer use), medical or industrial research refrigeration equipment, room air conditioners (including window air conditioners and packaged terminal air heat pumps), dehumidifiers, under the counter ice makers, vending machines, and drinking water coolers. See 40 C.F.R. § 82.152.

16. EPA's regulations for the protection of stratospheric ozone, recycling and emissions reduction define "MVAC" as mechanical vapor compression refrigeration equipment used to cool the driver's or passenger's compartment of any motor vehicle. See 40 C.F.R. §§ 82.32 and 82.152. The Administrator of EPA (the Administrator) may assess a civil penalty of up to \$37,500 per day of violation, up to a total of \$320,000 for violations that occurred on or after December 6, 2013 under Section 113(d)(1) of the CAA, 42 U.S.C. § 7413(d)(1), and 40 C.F.R. Part 19.

17. Section 113(d)(1) limits the Administrator's authority to matters where the first alleged date of violation occurred no more than 12 months prior to initiation of the administrative action, except where the Administrator and the Attorney General of the United States jointly determine that a matter involving a longer period of violation is appropriate for an administrative penalty action.

18. The Administrator and the Attorney General of the United States, each through their respective delegates, have determined jointly that an administrative penalty action is appropriate for the period of violations alleged in this CAFO.

Factual Allegations and Alleged Violations

19. PSC owns and operates the following scrap metal recycling facilities (PSC Facilities):
- a. 980 West 19th Street, Chattanooga, Tennessee;
 - b. 15 Mill Avenue, Cookeville, Tennessee;
 - c. 2408 South Roane, Harriman, Tennessee (“The Harriman Yard”);
 - d. 2826 Central Street N, Knoxville, Tennessee;
 - e. 1202 Maryville Pike, Knoxville, Tennessee (“The Maryville Pike Yard”);
 - f. 5205 South National Drive, Knoxville, Tennessee;
 - g. 710 South 1st Street, Nashville, Tennessee;
 - h. 110 East Hunt Street, Paragould, Arkansas;
 - i. 137 Atlantic Drive SE, Dalton, Georgia;
 - j. 7125 Goodson Road, Union City, Georgia;
 - k. 3100 North Broadway, St. Louis, Missouri;
 - l. 752 Highway P, North I-44 Service Road, Cuba, Missouri;
 - m. 9th and Delmar Streets, Festus, Missouri;
 - n. 3620 North Hall Street, McKinley (St. Louis), Missouri;
 - o. 300 E. Nagel Avenue, St. Louis, Missouri;
 - p. 16345 N Service Road, Wright City, Missouri;
 - q. Big Beaver Road, Route 18, Beaver Falls, Pennsylvania; and
 - r. 656 New Castle Road, Slippery Rock, Pennsylvania.
20. If any of the PSC Facilities listed in paragraph 19, above, ceases operations or ceases accepting small appliances, MVACs, and MVAC-like appliances for disposal, PSC shall notify EPA of the cessation of or change in operations within 15 days. Upon EPA receipt of said

notice, such facilities shall no longer be subject to the provisions of this Order effective as of the date of cessation of or change in scrap acceptance policy. Similarly, any new PSC facilities formed subsequent to the effective date of this Order, regardless of whether said facility is in the business of scrap metal recycling, shall not be subject to this Order or the obligations or requirements hereunder.

21. PSC is a “person,” as defined by 40 C.F.R. § 82.152.

22. PSC is a person who, at each of the PSC Facilities listed in paragraph 19, above, takes the final step in the disposal process of small appliances, MVACs, or MVAC-like appliances and thus is subject to the requirements of 40 C.F.R. Part 82, Subpart F.

23. On May 6, 2014, EPA inspected the Maryville Pike Yard and the Harriman Yard to assess PSC’s compliance with the CAA.

24. During the May 6, 2014, Maryville Pike Yard inspection, the EPA inspector recorded that a PSC representative stated that (i) PSC had been recovering refrigerant at the facility from MVACs until PSC discovered that the employee using the refrigerant recovery equipment had not obtained EPA technician certification and, (ii) due to a mistaken belief that EPA technician certification was required to recover refrigerant from MVACs delivered to PSC for recycling, the employee was not allowed to continue to recover refrigerant and no other employee recovered refrigerant from MVACs.

25. During the May 6, 2014, inspection at the Harriman Yard, a PSC representative told the EPA inspectors that the facility did not have refrigerant recovery equipment and that the Harriman Facility required customers selling small appliances, MVACS, and air conditioning system components to sign a scale ticket containing a verification statement certifying that any refrigerant had leaked previously or had been properly recovered prior to the delivery. PSC provided the EPA inspectors with three sample scale tickets from recent transactions. For all

three scale tickets examined by EPA inspectors, the verification statement was signed but was otherwise incomplete. All three verification statements lacked the address of the person who recovered the refrigerant and the date when the refrigerant was recovered, as required by 40 CFR 82.156(f)(2). One of the verification statements did not identify the name of the person who recovered the refrigerant, as required by 40 CFR 82.156(f)(2).

26. On September 15, 2014, EPA issued to PSC a Finding of Violation (FOV) alleging that it had violated 40 C.F.R. § 82.156(f) because it did not recover refrigerant from small appliances and MVACs and did not obtain proper verification statements.

27. On November 3, 2014, representatives from PSC and EPA discussed the alleged violations in the FOV.

Civil Penalty

28. Based on analysis of the factors specified in Section 113(e) of the CAA, 42 U.S.C. § 7413(e), the facts of this case, cooperation and agreement to perform a supplemental environmental project, Complainant has determined that an appropriate civil penalty to settle this action is \$20,000.

29. Within 30 days after the effective date of this CAFO, Respondent must pay a \$20,000 civil penalty by sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. EPA
Fines and Penalties
Cincinnati Finance Center
P.O. Box 979077
St. Louis, Missouri 63197-9000

Or, for checks sent by express mail (non-U.S. Postal Service will not deliver mail to P.O. Boxes), sending a cashier's or certified check, payable to "Treasurer, United States of America," to:

U.S. Bank
Government Lockbox 979077
U.S. EPA Fines and Penalties
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, Missouri 63101

The check must note Respondent's name and the docket number of this CAFO.

30. Respondent must send a notice of payment that states Respondent's name and the docket number of this CAFO to EPA at the following addresses, by mail or e-mail, when it pays the penalty:

Attn: Compliance Tracker (AE-18J)
Air Enforcement and Compliance Assurance Branch
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604
r5airenforcement@epa.gov

Jose C. de Leon (C-14J)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604
DeLeon.Jose@epa.gov

Regional Hearing Clerk (E-19J)
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

31. This civil penalty is not deductible for federal tax purposes.

32. If Respondent does not pay timely the civil penalty, EPA may request the Attorney General of the United States to bring an action to collect any unpaid portion of the penalty with interest, nonpayment penalties and the United States enforcement expenses for the collection action under Section 113(d)(5) of the CAA, 42 U.S.C. § 7413(d)(5). The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

33. Respondent must pay the following on any amount overdue under this CAFO. Interest will accrue on any overdue amount from the date payment was due at a rate established by the Secretary of the Treasury pursuant to 26 U.S.C. § 6621(a)(2). Respondent must pay the United States enforcement expenses, including but not limited to attorneys' fees and costs incurred by the United States for collection proceedings. In addition, Respondent must pay a nonpayment penalty each quarter during which the assessed penalty is overdue. This nonpayment penalty will be 10 percent of the aggregate amount of the outstanding penalties and nonpayment penalties accrued from the beginning of the quarter. 42 U.S.C. § 7413(d)(5).

Supplemental Environment Project

34. Respondent must complete a supplemental environmental project (SEP) designed to protect the environment and public health by reducing energy use and, as a result, reducing the emissions of harmful air pollutants.

35. Respondent must complete the SEP by providing partial funding for the Building Automation System (BAS) Project at a school in the Knox County Public Schools based in Tennessee. The Knox County Public Schools will be responsible for selecting the equipment and installing it on the school grounds. A description of the BAS Project is included as Attachment A.

36. Respondent must spend at least \$60,000 towards the installation of the BAS Project, within 30 days from the effective date of this CAFO.

37. By entering into this CAFO and agreeing to complete a SEP, Respondent certifies as follows:

I certify that PSC Metals, Inc. is not required to perform or develop the SEP by any law, regulation, order, or agreement or as injunctive relief as of the date that I am signing this CAFO. I further certify that PSC Metals, Inc. has not received, and is not negotiating to receive, credit for the SEP in any other enforcement action.

I certify that PSC Metals, Inc. is not a party to any open federal financial assistance transaction that is funding or could be used to fund the same activity as the SEP. I further certify that, to the best of my knowledge and belief after reasonable inquiry, there is no such open federal financial transaction that is funding or could be used to fund the same activity as the SEP, nor has the same activity been described in an unsuccessful federal financial assistance transaction proposal submitted to EPA within two years of the date that I am signing this CAFO (unless the project was barred from funding as statutorily ineligible). For purposes of this certification, the term "open federal financial assistance transaction" refers to a grant, cooperative agreement, loan, federally-guaranteed loan guarantee or other mechanism for providing federal financial assistance whose performance period has not expired.

38. Respondent must submit a SEP completion report to EPA within 45 days from the effective date of this CAFO. This report must contain the following information:

- a. Documentation that a payment was made by PSC to the Knox County Public Schools; and
- b. Statement from the Knox County Public Schools certifying that the money was received and has been put towards the BAS Project or a copy of a signed agreement between PSC and Knox County Public Schools specifying that the funds provided by PSC will be used for the BAS Project.

39. Respondent must submit all notices and reports required by this CAFO by first-class mail or email to the Compliance Tracker of the Air Enforcement and Compliance Assurance Branch at the address provided in paragraph 30, above.

40. For the SEP completion report, the Respondent must include a certification by the Respondent that the report is true and complete by including the following statement signed by one of its officers:

I certify that I am familiar with the information in this document and that, based on my inquiry of those individuals responsible for obtaining the information, it is true and complete to the best of my knowledge. I know that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

41. Following receipt of the SEP completion report described in paragraph 38 and 40, above, EPA must notify Respondent in writing that:

- a. It has satisfactorily completed the SEP and the SEP completion report;
- b. There are deficiencies in the SEP as completed or in the SEP completion report and EPA will give Respondent 30 days to correct the deficiencies;
or
- c. It has not satisfactorily completed the SEP or the SEP completion report and EPA will consider seeking stipulated penalties under paragraph 43.

42. If EPA exercises option b above, Respondent may object in writing to the deficiency notice within 10 days of receiving the notice. The parties will have 30 days from EPA's receipt of Respondent's objection to reach an agreement. If the parties cannot reach an agreement, EPA will give Respondent a written decision on its objection. Respondent will comply with any requirement that EPA imposes in its decision. If Respondent does not complete the SEP as required by EPA's decision, Respondent will pay stipulated penalties to the United States under paragraph 43, below.

43. If Respondent violates any requirement of this CAFO relating to the SEP, Respondent must pay stipulated penalties to the United States as follows:

- a. Except as provided in subparagraph b, below, if Respondent did not complete the SEP satisfactorily according to the requirements of this CAFO, Respondent must pay a penalty of \$70,000.
- b. If Respondent did not submit timely the SEP completion report, Respondent must pay penalties in the following amounts for each day after the report was due until it submits the report:

<u>Penalty per violation per day</u>	<u>Period of violation</u>
\$50	1 st through 14 th day
\$75	15 th through 30 th day
\$100	31 st day and beyond

44. EPA's determinations of whether Respondent completed the SEP satisfactorily and whether Respondent made good faith and timely efforts to complete the SEP will bind Respondent.

45. Respondent must pay any stipulated penalties within 15 days of receiving EPA's written demand for the penalties. Respondent will use the method of payment specified in paragraph 29, above, and will pay interest and nonpayment penalties on any overdue amounts.

46. Any public statement that Respondent makes referring to the SEP must include the following language: "PSC Metals, Inc. undertook this project under the settlement of the United States Environmental Protection Agency's enforcement action against PSC Metals, Inc. for alleged violations of the Clean Air Act."

47. For federal income tax purposes, Respondent will neither capitalize into inventory or basis, nor deduct any costs or expenditures incurred in performing the SEP.

Force Majeure

48. "*Force Majeure*" for the purposes of this CAFO is defined as an event arising from causes beyond the control of PSC or the control of any entity controlled by PSC, including its agents, consultants, and contractors, which delays or prevents the performance of any obligation under this CAFO despite PSC's best efforts to fulfill the obligation.

49. If any event occurs or has occurred that may delay the performance of any obligation under this CAFO, whether or not caused by a *Force Majeure* event, PSC shall notify EPA orally or by electronic transmission within ninety-six (96) hours of when PSC first knew that the event might cause a delay.

50. If EPA finds that a delay in performance is, or was, caused by a *Force Majeure* event, it shall extend the time for performance, in writing, for a period equivalent to the delay resulting from such event, and stipulated penalties shall not be due to the United States for such period.

General Provisions

51. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in this CAFO.

52. The CAFO does not affect the rights of EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violation of law.

53. This CAFO does not affect Respondent's responsibility to comply with the CAA and other applicable federal, state and local laws. Except as provided in paragraph 52, above, compliance with this CAFO will not be a defense to any actions subsequently commenced pursuant to federal laws administered by EPA.

54. Respondent certifies that, to the best of their knowledge, it is complying fully with 40 C.F.R. §§ 82.156(f) and 82.166(i).

55. This CAFO constitutes an "enforcement response" as that term is used in EPA's Clean Air Act Stationary Civil Penalty Policy to determine Respondent's "full compliance history" under Section 113(e) of the CAA, 42 U.S.C. § 7413(e).

56. Upon payment of the civil penalty and substantial compliance with the SEP obligations set forth in paragraphs 34 through 47, PSC may make a written request to EPA to terminate this CAFO. EPA may deny such request only if it reasonably believes PSC has not fulfilled its obligations under this CAFO or if PSC has failed to pay stipulated penalties due pursuant to paragraph 43.

57. The terms of this CAFO bind Respondent, its successors and assigns.


58. Each person signing this consent agreement certifies that he or she has the authority to sign for the party whom he or she represents and to bind that party to its terms.

59. Each party agrees to bear its own costs and attorneys' fees in this action.

60. This CAFO constitutes the entire agreement between the parties.

PSC Metals, Inc., Respondent

Date 1/9/17



Joseph King
Vice President
PSC Metals, Inc.

United States Environmental Protection Agency, Complainant

Date

1/23/17

Edward Nam

Acting Director

Air and Radiation Division

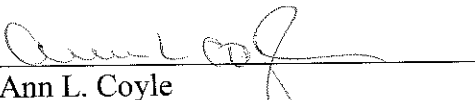
U.S. Environmental Protection Agency, Region 5

Consent Agreement and Final Order
In the Matter of: PSC Metals, Inc.
Docket No. CAA-05-2017-0010

Final Order

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. This Final Order concludes this proceeding pursuant to 40 C.F.R. §§ 22.18 and 22.31. IT IS SO ORDERED.

February 3, 2017
Date


Ann L. Coyle
Regional Hearing Clerk
U.S. Environmental Protection Agency
Region 5

**Consent Agreement and Final Order
In the Matter of: PSC**

CAA-05-2017-0010

**Attachment A
Supplemental Environmental Project
Energy Conservation Project**

Knox County Schools will complete Energy Conservation Project at Farragut Middle School. The project will consist of the installation of an energy management system and associated controls and sensors combined with the LED lighting.

The following products were proposed:

TYPE	INDEX	QTY	COST EXTENDED
Controller	UC400 Frame Mount	100	\$ 29,286.00
Sensor	Temp. Duct 6"	100	\$ 3,143.00
Software	SC Software License (15) Devices	7	\$ 4,560.01
Controller	MP 503 Metal	6	\$ 2,520.00
Controller	SC - BACnet Terminator	2	\$ 85.72
Enclosure	SC/UCP 13" Medium Enclosure w/ plastic door	1	\$ 214.29
Sensor	Temp. Duct / Immersion 4"	2	\$ 57.14
Controller	SC	1	\$ 1,064.29
Controller	TD7 Color Touchscreen Display	1	\$ 619.34
Controller	UC400 XM70 Expansion Module	1	\$ 520.63
Controller	UC600 Frame Mount	1	\$ 675.60
Enclosure	SC/UCP 16" Medium Enclosure w/ display capable metal door	1	\$ 374.87
Controller	UC400 XM30 Expansion Module	8	\$ 1,600.00
Controller	UC400 XM32 Expansion Module	8	\$ 1,600.00
Enclosure	SC/UCP 24" Large Enclosure w/ display capable metal door	1	\$ 818.80
Enclosure	UC400/600 10" Small Enclosure	100	\$ 9,286.00
Sensor	Humidity Sensor Space 3% w/Temp Sensor	2	\$ 354.28
Sensor	Temp. Wall	8	\$ 182.88
Sensor	Temp. Wall w/SPT & TOV	10	\$ 400.00
Wireless	Wireless Coordinator - Indoor	120	\$ 26,020.80
Wireless	Wireless Sensor - Digital Display	115	\$ 12,526.95
Wireless	Wireless Sensor Accessory - 2% RH Humidity Sensor Module	5	\$ 677.60

The Knox County Schools contact for this project is the following:

Mr. Zane Foraker
Energy Manager
865-594-8957
Zane.Foraker@knoxschools.org

Consent Agreement and Final Order
In the matter of: PSC Metals, Inc.
Docket Number: CAA-05-2017-0010

CERTIFICATE OF SERVICE

I certify that I served a true and correct copy of the foregoing **Consent Agreement and Final Order**, docket number CAA-05-2017-0010, which was filed on 2/7/2017, in the following manner to the following addressees:

Copy by Certified Mail to
Respondent:

Mr. Joesph King, Vice President
PSC Metals, Inc.
5875 Landerbrook Drive #200
Mayfield Heights, Ohio 44124

Copy by E-mail to
Attorney for Complainant:

Jose DeLeon
DeLeon.Jose@epa.gov

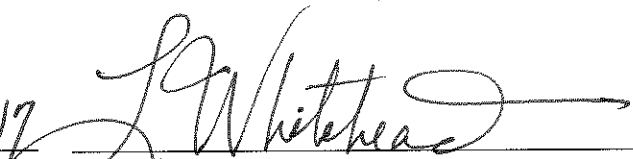
Copy by E-mail to
Attorney for Respondent:

Douglas A. Cohen
DCohen@brownrudnick.com

Copy by E-mail to
Regional Judicial Officer:

Ann Coyle
coyle.ann@epa.gov

Dated:

February 7, 2017

LaDawn Whitehead
Regional Hearing Clerk
U.S. Environmental Protection Agency, Region 5

Certified Mail Receipt Number: 7001 0320 0006 0188 0598